

EXHIBIT I.16

1 UNITED STATES DISTRICT COURT
 2 FOR THE NORTHERN DISTRICT OF OHIO
 3 EASTERN DIVISION

4 IN RE: NATIONAL) MDL No. 2804
 PRESCRIPTION OPIATE)
 5 LITIGATION) Case No.
) 1:17-MD-2804
)
 6 THIS DOCUMENT RELATES TO) Hon. Dan A.
 ALL CASES) Polster
)

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 10 Sunday, May 5, 2019
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12 HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER
 CONFIDENTIALITY REVIEW
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16 Videotaped Deposition of MEREDITH B.
 ROSENTHAL, Ph.D., VOLUME 2, held at Robins
 17 Kaplan LLP, 800 Boylston Street, Suite 2500,
 Boston, Massachusetts, commencing at
 18 8:04 a.m., on the above date, before
 Michael E. Miller, Fellow of the Academy of
 19 Professional Reporters, Registered Diplomate
 Reporter, Certified Realtime Reporter and
 20 Notary Public.
 21
 22
 23

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1 BY MR. METZ:

2 Q. Okay. And it also does not
3 include the pharmacy defendants, correct?

4 MR. SOBOL: Objection, asked
5 and answered.

6 A. Yes, that is correct.

7 BY MR. METZ:

8 Q. So we take another example,
9 paragraph 78, where you say, quote: An
10 alternative method of identifying the impact
11 of the defendants', possessive, misconduct,
12 is to use an indirect method.

13 Do you see that?

14 A. Yes.

15 Q. And there again, you're using
16 the term "defendants," but how we should
17 understand that is the marketing defendants,
18 correct?

19 A. Well, the -- in -- excuse me,
20 the indirect approach -- it is getting to be
21 late -- is, as you know, a residual approach,
22 so it inherently is looking at all of these
23 demographic, socioeconomic and healthcare
24 factors that could have driven higher opioid
25 use and attributes that which is left to the

1 misconduct.

2 I think it's a little bit less
3 clear about how that analysis might be used
4 to assess liability for distributors. I have
5 not been asked to do that, but the indirect
6 analysis, because it's not measuring the
7 conduct of a specific group, could be open to
8 a broader interpretation.

9 Q. Have you disclosed any opinions
10 that, based upon your indirect model, you
11 draw conclusions about distributor
12 defendants' conduct?

13 A. I have not. I have not drawn
14 those conclusions.

15 Q. And you mentioned the detailing
16 data, but just to be clear, you did not
17 include in your direct model any data series
18 that you understood were measuring the
19 conduct of the distributor defendants; is
20 that correct?

21 MR. SOBOL: Objection, asked
22 and answered.

23 A. I have not measured the conduct
24 of the distributors or included that in my
25 model.